

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TCHUTIMA, INC.,

Plaintiff(s),

V.

BUA GROUP, LLC,

Defendant(s).

Case No. 2:24-cv-01130-JCM-NJK

Order

[Docket No. 46]

Pending before the Court is Defendant's motion for sanctions. Docket No. 46.

The motion consists in its entirety of 59 lines of discussion spanning less than three pages.¹ The motion on its face asks for the imposition of sanctions, *id.* at 1, but it identifies no legal authority on which sanctions may be predicated. Indeed, the motion includes no section regarding discovery standards at all. Instead, the motion includes one paragraph of “argument” that indicates discovery may be sought under Rules 33 and 34, and that the “consequences” for failing to comply are encompassed in Rule 37(a)(3). *See Docket No. 46 at 3.* Rule 37(a)(3), however, uses motions to compel and not requests for sanctions. *See, e.g., Fed. R. Civ. P. 37(a)(3).* The motion also cites one case, but that case also involves a motion to compel and not a motion for sanctions. *Bishop v. Potter*, 2010 WL 11579259 (D. Nev. Apr. 12, 2010). In short, although Plaintiff’s motion is seeking sanctions, it does not identify legal authority regarding the imposition of sanctions.

¹ Discovery motions must be fully developed, see, e.g., *Reno v. W. Cab Co.*, 2019 WL 8061214, at *2 (D. Nev. Sept. 23, 2019), which this motion clearly is not. The sparse motion is all the more notable given that Defendant’s reply spans 11 pages. Docket No. 52. Of course, arguments should not be first raised or developed in a reply brief. See, e.g., *Brand v. Kijakazi*, 575 F. Supp. 3d 1265, 1273 (D. Nev. 2021).

1 Accordingly, the Court DENIES without prejudice Defendant's motion for sanctions.
2 IT IS SO ORDERED.

3 Dated: January 7, 2025

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6 Nancy J. Koppe
7 United States Magistrate Judge
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